

### Amendments to the Claims

1. (Currently Amended) A method of synchronizing a media stream,  
2 comprising:  
streaming media from a media program from a server to a client;  
4 at the server, detecting a loss of synchronization in said media stream at a current  
media time index;  
6 at the server, selecting a second time index later in said media than said current  
~~first~~ media time index; and  
8 attempting to synchronize said media at said second media time index.

2. (Original) The method of claim 1, if said attempting to synchronize is  
2 unsuccessful, repeating said selecting and said attempting a predetermined number of  
times.

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3. (Original) The method of claim 2, further comprising terminating said  
2 media stream if each of said predetermined number of attempts to synchronize is  
unsuccessful.

4. (Original) The method of claim 1, wherein said detecting comprises:  
2 identifying a current time index of the media program, wherein said current time  
index corresponds to media that should be streamed at said current time index; and  
4 comparing said current time index to a time index of said media actually being  
streamed.

5. (Original) The method of claim 4, wherein said selecting a second  
2 time index comprises adding a predetermined amount of time to said current time index.

6. (Original) The method of claim 4, wherein said selecting a second  
2 time index comprises adding a predetermined amount of time to said time index of said  
media actually being streamed.

7. (Original) The method of claim 4, wherein said attempting to  
2 synchronize comprises:  
determining whether a portion of the media program corresponding to said second  
4 time index is available for streaming at said second time index; and  
if said media program portion is available for streaming, resuming streaming of  
6 the media program at said second time index.

8. (Currently Amended) A method of resynchronizing a media  
2 program streamed to a client from a media server, the method being performed at the  
media server and comprising:

4 (a) requesting a first portion of a media program to be streamed to the client,  
said first media portion corresponding to a first time index of the media program; and

6 (b) if said first media portion is unavailable for streaming at said first time  
index, attempting to resynchronize the media program by:

8 (c) selecting a second time index of said media program later than said  
first time index;

10 (d) requesting a second portion of the media program corresponding to  
said second time index;

12 (e) halting streaming of the media program until said second time  
index; and

14 (f) if said second media portion is available at said second time index,  
commencing streaming the media program from said second time index.

9. (Original) The method of claim 8, further comprising:

2 (g) if said second media portion is unavailable at said second time  
index, repeating (b) – (f) for a later time index and another media portion  
4 corresponding to said later time index.

10. (Original) The method of claim 9, wherein said (b) – (f) are repeated a  
2 predetermined number of times and, if said resynchronization attempts are unsuccessful

each of said predetermined number of times, terminating said streaming.

11. (Currently Amended) The method of claim 8, wherein the media  
2 program is a pre-recorded media program and said requesting comprises scheduling  
retrieval of a portion of the media program from a storage device.

12. (Original) The method of claim 8, wherein said selecting comprises,  
2 for a first resynchronization attempt:  
determining a current media time index; and  
4 adding a predetermined time increment to said current media time index.

13. (Original) The method of claim 12, wherein said selecting comprises,  
2 for a subsequent resynchronization attempt:  
determining a second current media time index; and  
4 adding a multiple of said predetermined time increment to said second current  
media time index.

14. (Original) The method of claim 8, wherein said halting comprises  
2 discarding media data corresponding to a time index prior to said second time index.

15. (Original) The method of claim 8, wherein said streaming the media  
2 program from said second time index comprises transmitting to the client media from  
multiple tracks of the media program, wherein said transmitted media corresponds to said  
4 second time index.

16. (Currently Amended) A computer readable storage medium  
2 storing instructions that, when executed by a computer, cause the computer to perform a  
method of synchronizing a media stream, the method comprising:  
4 streaming media from a media program from a server to a client;  
at the server, detecting a loss of synchronization in said media stream at a current  
6 media time index;

at the server, selecting a second time index later in said media than said current  
8 first media time index; and  
attempting to resynchronize said media at said second media time index.

17. (Currently Amended) A computer readable storage medium  
2 storing instructions that, when executed by a computer, cause the computer to perform a  
method of resynchronizing a media program streamed to a client from a media server, the  
4 method being performed at the media server and comprising:

(a) requesting a first portion of a media program to be streamed to the client,  
6 said first media portion corresponding to a first time index of the media program; and

(b) if said first media portion is unavailable for streaming at said first time  
8 index, attempting to resynchronize the media program by:

(c) selecting a second time index of said media program later than said  
10 first time index;

(d) requesting a second portion of the media program corresponding to  
12 said second time index;

(e) halting streaming of the media program until said second time  
14 index; and

(f) if said second media portion is available at said second time index,  
16 commencing streaming the media program from said second time index.

18. (Currently Amended) A server ~~An apparatus~~ for synchronizing a  
2 stream of media to a client, comprising:

a stream module configured to control the streaming of a media program to a  
4 client;

a media time index configured to identify a current time index of the media  
6 program, wherein for each said time index a corresponding portion of the media program  
should be streamed; and

a first track stream module configured to retrieve media for a first track of the  
8 media program from a media source;

10 wherein if a first portion of the media program is unavailable for streaming at a

first current time index, said stream module:

- 12        \_\_\_\_\_ advances said media time index from said current time index to a future  
time index;
- 14        \_\_\_\_\_ requests said portion of the media program corresponding to said future  
time index; and
- 16        \_\_\_\_\_ resumes said streaming at said future time index if said requested media  
program portion is available for streaming at said future time index.

19.     (Currently Amended)        A media server ~~An apparatus~~ for  
2     synchronizing a media stream to a client, comprising:  
      a first track of a media program stored on a first storage device;
- 4        a first track stream module configured to retrieve media from said first media  
track, wherein the media comprises multiple media portions corresponding to successive
- 6     time indices at which said corresponding media portions should be played; and  
      a stream module configured to control streaming of the media to a client by
- 8     transmitting to the client media corresponding to a current media program time index;  
and
- 10       a synchronization module configured to synchronize said media streaming when a  
portion of the media corresponding to a first current media program time index is not
- 12     available for streaming at said first current media program time index.

20.     (Currently Amended)        The media server ~~apparatus~~ of claim 19,  
2     wherein said synchronization comprises:  
      selecting a second current media program time index that is later than said first
- 4     current media program time index;  
      requesting a portion of the media corresponding to said second current media time
- 6     index;  
      suspending said media streaming until said second current media time index; and
- 8       if said requested media portion is ~~if~~ available for streaming at said second current  
media time index, resuming said media streaming.